

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

MIGUEL A. DAVILA, :
Plaintiff : CIVIL ACTION NO. 3:11-1092
v. : (MANNION, D.J.)
(SCHWAB, M.J.)
COMMONWEALTH OF :
PENNSYLVANIA, et. al., :
Defendants :
:

ORDER

AND NOW, THIS 6th DAY OF FEBRUARY, 2013, for the reasons set forth in the Memorandum of this date, **IT IS HEREBY ORDERED THAT:**

- (1) The report and recommendation of Judge Martin C. Carlson, (Doc. No. [65](#)), is **ADOPTED**;
- (2) The plaintiff's motion for reconsideration, (Doc. No. [54](#)), is **DENIED**;
- (3) The matter is **REMANDED** to Judge Susan E. Schwab for further pre-trial proceedings.

Malachy E. Mannion
MALACHY E. MANNION
United States District Judge